Brady Creek Watershed Protection Plan Public Participation Plan

December 2010



Public participation opportunities related to the development of a watershed protection plan for Brady Creek located in Concho, Menard, McCulloch and San Saba Counties, Texas. This participation plan has been developed by the Upper Colorado River Authority in cooperation with the Texas Commission on Environmental Quality and the U.S. Environmental Protection Agency.

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Introduction

Purpose

This public participation plan describes steps the Upper Colorado River Authority will take to involve community members as stakeholders in the development of a watershed protection plan (WPP) for Brady Creek located in Concho, Menard, McCulloch and San Saba Counties, Texas (Figure 1). The preparation of this plan is largely funded by grant monies provided by the U.S. Environmental Protection Agency (EPA) through the Texas Commission on Environmental Quality (TCEQ) pursuant to Section 319 of the Federal Clean Water Act. Total funding for this project is a 60/40 split between TCEQ and local partners.

Development of a non-regulatory protection plan for the Brady Creek Watershed is necessary to maintain and improve water quality within Brady Creek. A watershed protection plan is a community-driven management framework that uses the watershed approach to voluntarily address complex water quality problems. Anyone who lives, works or plays within the watershed is invited to participate in the planning process. Input by individuals of their opinions and concerns regarding watershed protection and water quality are encouraged. Throughout the previous nine years, workshops, outreach activities and public meetings pertaining to Brady Creek NPS issues and projects have been held to present information on activities occurring within the watershed and their associated impacts on water quality. The Brady Creek Steering Committee will continue to be encouraged to be actively engaged and involved in the planning process, and will play a key role in all phases of the plan's development.

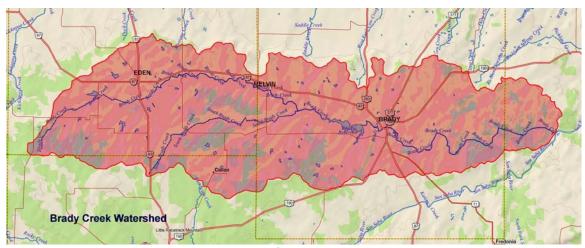


Figure 1 **Brady Creek Watershed**

Background

Water quantity and quality issues are a common topic of discussion among landowners, municipalities, and state and federal agencies within central Texas. Water contained within the rivers, streams, springs and aquifers of the hill country are one of the regions most valuable yet fragile natural resources. Water quantity is vital for local tourism, agriculture, and ranching, while water quality affects millions of individuals who depend upon aquifers and reservoirs as their primary source of drinking water. Brady Creek in Segment 1416A, which stretches from the confluence of the San Saba River southwest of San Saba in San Saba County upstream to Brady Lake Dam west of Brady in McCulloch County, has a history of water quality concerns and has been listed on the Texas Water Quality Inventory and 303(d) list since 2004.

- 2004 listed for depressed dissolved oxygen (DO) Segment 1416A, Area from FM 714 upstream to Brady Lake dam
- 2006 listed for depressed DO Segment 1416A, Assessment Area 1416A 03, from FM 714 upstream to Brady Lake dam
- 2006 identified as a concern for orthophosphorus, nitrate, chlorophyll-a, and total phosphorous - Segment 1416A, Assessment Area 1416A 02 - from the confluence of an unnamed tributary approximately 5 km east of FM 2309 east of Brady upstream to FM 714
- 2008 listed for depressed DO Segment 1416A, Assessment Area 1416A 03, from FM 714 upstream to Brady Lake dam
- 2008 identified as a concern for orthophosphorus, nitrate, chlorophyll-a, and total phosphorous - Segment 1416A, Assessment Area 1416A 02 - from the confluence of an unnamed tributary approximately 5 km east of FM 2309 east of Brady upstream to FM 714
- 2008 identified as a concern for chlorophyll-a and depressed DO Segment 1416A, Assessment Area 1416A 03, from FM 714 upstream to Brady Lake dam
- 2010 (draft) listed for depressed DO Segment 1416A, Assessment Area 1416 03, from FM 714 upstream to Brady Lake dam
- 2010 (draft) identified as a concern for orthophosphorus, nitrate, chlorophyll-a, and total phosphorous – Segment 1416A, Assessment Area 1416A 02 – from the confluence of an unnamed tributary approximately 5 km east of FM 2309 east of Brady upstream to FM 714
- 2010 (draft) identified as a concern for chlorophyll-a Segment 1416A, Assessment Area 1416A-03 – from FM 714 upstream to Brady Lake dam

Since the construction of Brady Creek Reservoir, also known as Brady Lake, (the two titles are interchangeably used), stream flows in Brady Creek through downtown Brady, and immediate downstream reaches, have consisted primarily of urban runoff. Below Brady, high quality treated wastewater discharge from the City of Brady comprises almost 100% of the stream flow. Brady Creek in the Brady urban area contains perennial pools with significant aquatic life, including recreationally important species. Water quality has degraded continuously since the construction of Brady Lake. The absence of scouring stream flows and perennial flows has resulted in the stream functioning primarily as a series of storm water ponds with intermittent stream flows. As a result, the stream often displays the characteristics of a eutrophic stream with prolific algae blooms, odors and a generally unpleasant appearance. There is a history of fish kills that have been investigated by the Texas Parks and Wildlife Department (TPWD) and the Texas Commission on Environmental Quality (TCEQ). Most of the TPWD reports connect the recorded fish kills with concurrent rainfall events. It has been concluded that most, if not all, of the fish kills were the result of nonpoint source pollution (NPS) resulting from urban storm flows from city streets entering Brady Creek, also known as urban runoff (UR). In early 2000, both the TPWD and the TCEQ requested that the Upper Colorado River Authority (UCRA) and City of Brady pursue Clean Water Act (CWA) 319(h) funding to abate these NPS problems. In partnership with the City of Brady and the Lower Colorado River Authority (LCRA), the UCRA applied for and received funding for two (2) NPS abatement projects (Phase I & II).

The primary reason for initiation of the Phase I & II projects was to eliminate fish kills and deteriorating water quality conditions within the urban areas of Brady (Brady Creek below Brady Creek Reservoir). These improvements were implemented through the watershed master plan prepared in Phase I of the project. The plan identified and prioritized a number of Best Management Practices (BMPs). The completion of two structural BMPs within the City of Brady resulted from that plan. The first BMP, an instream low-head dam with a porous aeration basin below it, provides for increased dissolved oxygen within the creek. The second BMP, a series of gabion filter dams, intercept trash and debris before it enters the creek. Both BMPs also included bank stabilization elements during their construction.

Subsequent to completion of the master plan in 2004, the EPA & TCEO developed requirements for 319(h) grant participants that include the preparation of an approved Watershed Protection Plan (WPP). Watershed based guidelines require the identification of nine (9) essential elements within each plan. Though the existing master plan for Brady Creek did contain some of the elements, it was recognized that considerable effort would be required to update the document. The Phase II contract was amended to add work elements to allow for the creation of a watershed characterization pursuant to the ultimate preparation of a WPP for the entire Brady Creek watershed. The completed Brady Creek Watershed Characterization was approved in April 2010.

Goals and Objectives

The primary goal of this public participation plan is to provide a continuing framework through which the Brady Creek Steering Committee will continue to function. It is recognized that watershed protection plans can only be successful if committed stakeholders are involved in the planning and implementation process.

To that end, the Brady Creek Steering Committee, a group composed of local landowners, stakeholders, City of Brady officials, state agency personnel, etc, was formed in 2001 and has functioned on a continuous basis throughout the entire multi-year process. They have held numerous meetings through the years and played an integral role in the planning and implementation phases of the thus far completed Brady Creek NPS projects. The Steering Committee will have the opportunity and be encouraged to continue to act in the same capacity throughout the development of the WPP and its subsequent implementation. To ensure the protection plan is representative of ideas and opinions from a diverse cross-section within the local citizenry, the lead agency in the watershed planning project (the UCRA) and the currently engaged members of the Brady Creek Steering Committee will actively recruit new participants from a diverse group of stakeholders and interested parties.

Time Frame for Development

The development of the Brady Creek WPP began in 2010 and will continue through January 2013.

Watershed Protection Plan Lead Agency Roles And Responsibilities

The coordination and development of the Brady Creek WPP will be conducted by the UCRA with Chuck Brown who is the designated Project Manager and Watershed Coordinator. As such, Mr. Brown is responsible for the coordination of all activities related to development of the WPP and acts as liaison between the public, project partners, stakeholders, and regulatory personnel. Project Oversight will be provided by the TCEQ and EPA.

Stakeholder Facilitation

The UCRA and existing Brady Creek Steering Committee members will recruit new members to maintain a diverse group of stakeholders, both ideologically and geographically throughout the watershed, that have an interest in maintaining and improving water quality within the Brady Creek watershed. Chuck Brown will lead this effort for the UCRA, and Fred Teagarden, Scott McWilliams, Ellen Groth and Christy Youker will also be involved

Data Collection and Analysis

A Quality Assurance Project Plan (QAPP), prepared in conformance with the EPA Requirements for Quality Assurance Plans format and using the TCEQ Nonpoint Source OAPP Shell has been completed and approved. Data Quality Objectives (DOOs) are included in the approved QAPP. All monitoring procedures and methods prescribed in the QAPP are consistent with the guidelines detailed in the TCEO Surface Water Quality monitoring Procedures, Volume 1 and 2. Water quality sample analysis will be conducted by the LCRA laboratory, a NELAC certified laboratory located in Austin, Texas.

Fred Teagarden is the UCRA's Quality Assurance Officer and as such, is responsible for coordinating the development and implementation of the QA program, and is responsible for maintaining the written records requirements specified in the QAPP for this project. He is also responsible for identifying, receiving, and maintaining project quality assurance records, and for the validation and verification that all data is collected in conformance with the QAPP for this project. If any circumstances are identified, which hold the potential to adversely affect the quality of data, he will coordinate with the TCEQ QAS to resolve any quality assurance related issues.

Chuck Brown, UCRA's Project Manager and Watershed Coordinator for the Brady Creek WPP, is also the field supervisor and is the individual tasked with the primarily responsibility for sample collections with assistance from City of Brady personnel. He schedules and conducts monitoring events and ensures that any other personnel involved in the sample collection process are adequately trained to ensure adherence to QAQC objectives.

Scott McWilliams is the UCRA's Data Manager and is responsible for the acquisition, verification, and transfer of data to the TCEO. He oversees data management for the project and performs data quality assurances prior to transfer of data to TCEQ. He ensures that data submitted to the TCEQ is in the Event/Result format as specified in the DMRG (January 2010, or most current version), and that data are submitted according to workplan specifications. He is the point of contact for the TCEQ Data Manager to resolve issues related to the data.

Watershed Protection Plan Writing

The UCRA is the responsible party for the compilation of stakeholder input and writing the WPP. Scott McWilliams will be the primary writer of the plan. The WPP will follow the writing guidelines in the contract and presented in the EPA's Handbook for Developing Watershed Plans to Restore and Protect Out Waters.

Meeting Deadlines/Performance Standards

The development of the Brady Creek WPP will adhere to the schedule of deliverables included in the TCEQ/UCRA contract scope of work. The UCRA Project Manager, Chuck Brown, will provide the TCEQ with the reports specified in the schedule of deliverables. These reports will detail aspects of stakeholder participation and WPP development.

Project Partners

Partners List

City of Brady Upper Colorado River Authority Lower Colorado River Authority Texas Commission on Environmental Quality U.S. Environmental Protection Agency Texas Institute of Applied Environmental Research

Partnership Structure and Information Flow Chart

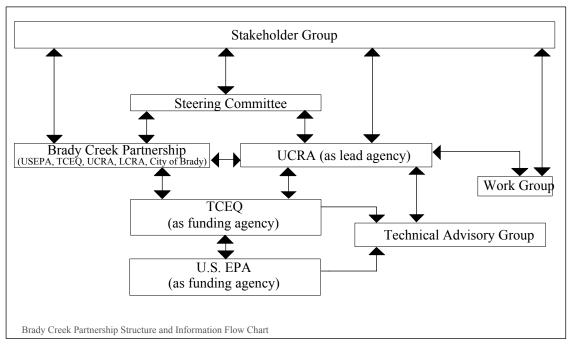


Figure 2 Brady Creek Partnership Structure and Information Flow Chart

Partnership Communication Protocol

Individuals are not permitted to speak on behalf of the Watershed Partnership or Brady Creek Steering Committee as a whole unless authorized by the Partnership or Committee to do so. Members of the Partnership do not speak for the UCRA or the TCEQ and neither the UCRA nor the TCEQ will speak on behalf of the Partnership. If Partnership/Steering Committee spokespersons are needed, they will be selected by the Committee.

An open line of communication will exist between members of the Partnership and the Watershed Coordinator. In a good faith effort to keep partners informed, all press releases, public notices, and any media communications that may relate to the WPP will be distributed electronically and placed on the project webpage.

Brady Creek Partnership Structure

Stakeholder Group Structure

A combination of methods will be used to ensure stakeholders have an opportunity to contribute ideas, opinions and concerns regarding the Brady Creek WPP. All stakeholders involved in the planning process will fall under the structure of the Watershed Partnership. Within the Watershed Partnership there will be up to four types of committees with the following roles and responsibilities.

- Stakeholder Group may participate in meetings and contribute information and ideas to be considered for the plan.
- Steering Committee The Steering Committee will be developed to act as the
 decision making body within the partnership. A variety of individuals will serve
 on the Steering Committee to reflect the diversity of interest within the Brady
 Creek watershed and to incorporate the viewpoints of those who will be affected
 by the WPP. The overall goal of the Steering Committee is to develop and
 implement a WPP that will provide sustainable and cost effective results. The
 Chair of the Steering Committee will preside over meetings, and in his/her
 absence, the Vice Chair will preside.
- Work Groups Work groups may be formed to address specific topics identified/assigned by the Steering Committee based upon information gathered during General Stakeholder Meetings. Work Groups will discuss specific issues and assist in developing that portion of the WPP, including the implementation of recommendations. There is no limit to the number of members on a work group. Each work group will have a Steering Committee representative who will present each Work Group's findings and recommendations to the Steering Committee.
- Technical Advisory Group A Technical Advisory Group consisting of state and federal agencies that specialize in natural resources will provide guidance to the Steering Committee and Work Groups.

Potential Agencies Involved as Stakeholders

City of Brady Upper Colorado River Authority Lower Colorado River Authority Texas Commission on Environmental Quality

Texas Parks and Wildlife Department U.S. Environmental Protection Agency City of Brady Chamber of Commerce City of Eden City of Eden Chamber of Commerce City of Melvin McCulloch County SWCD Concho County SWCD San Saba County SWCD Menard County SWCD USDA Natural Resources Conservation Service Texas State Soil and Water Conservation Board Texas Agrilife Extension Service Texas Railroad Commission Hickory Underground Water Conservation District No. 1 McCulloch County Concho County San Saba County Menard County

Potential Citizens (by interest type) Involved as Stakeholders

Rural landowners within the watershed City of Brady Residents City of Eden Residents City of Melvin Residents Business owners

Membership Selection

Stakeholder Selection

Stakeholders are defined as those who make and implement decisions, those who are affected by decisions made or those who have the ability to assist with the implementation of decisions. Anyone who falls within these broad categories or has an interest in improving water quality within the Brady Creek watershed can become a Stakeholder in the Watershed Partnership.

Steering Committee Selection

The Steering Committee will be composed of stakeholders from within the Brady Creek Creek Watershed and/or members of the Partnership. Solicitation and recruitment of Steering Committee members to promote an even geographical and topical representation within the watershed will be based on 3 methods: 1) consultation with the TCEQ, UCRA and local and regional governments, 2) meetings with various stakeholder interest groups and individuals, 3) self-nomination or requests by various stakeholder interest groups or

individuals. The Steering Committee will select a Chair and Vice-Chair who will be responsible for conducting meetings of the Steering Committee.

Steering Committee Replacements and Additions/Alternates/Absences

Replacements and Additions

The Steering Committee may add new members if (1) a member is unable to continue serving and a vacancy is created or (2) important stakeholder interests are identified that are not represented by the existing membership. A new member must be approved by a majority of existing members. In either event, the Steering Committee will, when practical, accept additional members.

Alternates

Members unable to attend a Steering Committee meeting (an absentee) may send an alternate. An absentee should provide advance notification to the facilitator of the desire to send an alternate. An alternate attending with prior notification from an absentee will serve as a substitute for that absent Steering Committee member and will have voting privileges. An alternate attending without advance notification will not be able to participate in Steering Committee votes. Absentees may also provide input via another committee member or send input via the facilitator. The facilitator will present such information to the committee.

Absences

All Steering Committee members agree to make a good faith effort to attend all Steering Committee meetings. However, the members recognize that situations may arise necessitating the absence of a member. Three absences in a row of which the facilitator was not informed of beforehand or without designation of an alternate constitute grounds for expulsion from the Steering Committee.

Goals Development

The UCRA will facilitate the Stakeholder Group's work to set goals that will include (at a minimum) meeting the appropriate water quality standards for pollutants that threaten or impair the physical, chemical, or biological integrity and the designated uses of the watershed covered in the plan.

Decision Making Process

The Steering Committee is the decision making body for the Partnership. The Steering Committee will strive for consensus when making decisions and recommendations. Consensus means overwhelming agreement and is defined as everyone being able to live with the decisions made. It is important that consensus be the product of a good-faith

effort to meet the interest of all stakeholders and inherently requires compromise and negotiation.

While moving forward with decisions or recommendations the facilitator will ask whether steering committee members can think of any 'improvements' to the proposed agreement. Upon further discussion and potential alteration of the original proposal the facilitator will call for any major objections.

Regarding proposals:

- If committee members' opinions are generally positive and there are no major objections, then the proposal passes.
- If committee members' opinions are generally positive, but a member has a major objection to the proposal, the proposal does not pass. The proposal may be sent to a Work Group, or withdrawn and reworked and re-presented at a later date.
- If committee members' opinions are generally negative, the proposal does not pass.
- If committee members' opinions are mixed, not generally positive or negative, discussion continues, or the proposal is tabled until the next meeting or until more information is available. In some cases the facilitator may ask for a show of hands to indicate the level of support for a particular proposal.
- If consensus can not be reached the group can:
- 1) Decide to drop the proposal
- 2) Approve voting of specific options within the proposal
- 3) Send the proposal to a Work Group

Meetings

All meetings (Partnership, Steering Committee, and Work Group) are open to the public and all interested stakeholders are encouraged and welcome to participate. Participants may express their views candidly, but without personal attacks. Time is shared because the opinions of all participants are of equal importance.

A series of guest speakers may be scheduled to inform participants on topics such as local watershed characteristics and function, causes of nonpoint source pollution, water quality issues, functions of riparian habitat and potential BMPs that can be implemented to improve or prevent water quality impairments.

Frequency

Throughout the planning phase, meetings of the Partnership, Steering Committee or Work Groups will occur as deemed necessary. The Steering Committee may determine the need for additional meetings. Steering Committee meetings will be scheduled to accomplish specific milestones in the planning process.

As best as is possible, meetings will start and end on time and will be scheduled to accommodate and encourage the attendance of all Steering Committee members. The Watershed Coordinator will notify members of the Partnership, Steering Committee, and Work Groups of respective meetings.

Quorum

In order to conduct business, the Steering Committee will have a quorum. A Quorum is defined as having at least 51% of the Steering Committee (and/or alternates) present and a representative of either the UCRA or the TCEQ.

Materials Distribution

The Watershed Coordinator will prepare and distribute the agenda and other needed items to members of the Partnership. Distribution will occur via email and the project website, unless expressly asked to use U.S. Mail (i.e. member has no email access). To encourage equal sharing of information, materials will be made available to all. Those who wish to distribute materials to the Steering Committee or a Work Group will ask the Watershed Coordinator to do so on their behalf.

Evaluation of Stakeholder Input

All meeting minutes will be documented and posted on the project web page. The documentation of topics, ideas and opinions discussed at meetings and workshops will allow stakeholders to see how their involvement has affected the planning process over time.

Media Protocol

If Partnership or Steering Committee members have an issue regarding the watershed planning process, they will voice their concerns to the Watershed Coordinator instead of exploiting media outlets.

Selection of Lead Organization for the Implementation/Update Phase of the WPP

The UCRA and the Steering Committee will determine what organization will provide oversight and coordination for the voluntary implementation of the Brady Creek Watershed Protection Plan.

Public Outreach And Education

An outreach campaign will be initiated to create public awareness for the Brady Creek WPP. A variety of methods will be utilized to distribute information about the protection plan and ways in which individuals can become involved. The outreach program will educate citizens about local watershed features, NPS pollution, watershed function and how individual actions in urban and rural settings effect water quality.

Dr. Christy Youker, UCRA's Education and Outreach Director, will serve as the Brady Creek WPP Project Education and Outreach Coordinator. She will develop relevant informative materials and programs in cooperation with the Brady and Eden Independent School Districts, and as needed, also develop and implement education and outreach materials and/or presentations for the general public. She will also be responsible for meeting any education and outreach needs that are identified during development of the plan.

Media Relations

Proactive Media Outreach/Response

Proactive opportunities for media outreach will be identified by the Watershed Coordinator. The use of press releases to announce meetings, events, general information and opportunities for public involvement are examples of media based proactive outreach

Protocol for Inquires, Misinformation

In order to ensure consistent, well-informed answers are provided to media outlets, all media inquires regarding the WPP should be directed to Chuck Brown, Watershed Planning Coordinator with UCRA. Members of the Watershed Partnership or Steering Committee will not speak on behalf of the Partnership.

Inquires from the general public, elected officials, or state/federal agencies will be answered by the Watershed Coordinator in a timely manner. Most often, routine inquires will be responded to with previously approved material/information. Project partners and Steering Committee members will be notified of all inquires at Partnership meetings unless there is potential for an immediate or significant impact on the program.

Misinformation could be an issue throughout the planning phase of the WPP. There are several ways the Steering Committee and Watershed Coordinator can chose to handle misinformation depending on the source and nature of problem. Whether misinformation is being spread unintentionally or through an organized effort, these issues should be evaluated on a case-by-case basis. Members of the Partnership should stay informed of public opinion and news regarding the WPP. The UCRA will determine if misinformation should be addressed through public response or if a phone call to the

source will suffice. In some situations, no response may be the best way to deal with the issue

Media Database

The Watershed Coordinator will maintain a regularly updated database of all media coverage regarding the WPP. The database will include names of reporters and editors with major media outlets that reach residents directly affected by the WPP. These data will include the Brady Standard Herald, the Eden Echo, KNEL radio station in Brady, organizational newsletters and/or online sources.

Press Kit

The UCRA and the Steering Committee will develop a standardized press kit that communicates key elements of the WPP. The press kit will be a working document that can easily be adapted to meet the needs and answer specific questions for the media, elected officials and interested citizens. The press kit will include fact sheets, maps, graphics, press releases and documents designed to answer local water quality questions or provide general project related facts. In order to inform the public about the credibility and experience of project partners involved in developing the WPP, background information will be provided on each participating organization.

News Releases

News releases to communicate key periods in the plans development will be developed from time to time throughout the planning phase of the WPP. Press releases will be produced by the UCRA and added to the press kit when published.

Newsletters

The UCRA will develop an electronic newsletter where information and updates regarding the WPP will be posted periodically. The project newsletter will address local watershed issues, local natural resource facts/history and general water quality and conservation topics. Information regarding the WPP and events occurring within the watershed will also be included in local partner newsletters.

Opinion/Editorial Articles

When appropriate, the UCRA will develop opinion pieces to be published in local newspapers, the Brady Standard Herald and the Eden Echo regarding aspects of the WPP at key junctures in the plans development, or when the general public seems to have questions or is misinformed.

Dedicated Spokespersons

Determining Spokesperson

The Stakeholder Steering Committee and UCRA will assign a primary and secondary spokesperson to represent the Watershed Partnership. Spokespersons for the project will share a unified message regarding the WPP's development and issues the plan will address. Partnership spokespersons will communicate both technical and general information to interested parties.

Internet

Project Website

The UCRA will construct and host a project website with access through the UCRA's homepage. The website will provide an overview of water quality concerns within the watershed and links to project partner websites. The website will also contain information regarding development of the WPP; including media coverage, maps, fact sheets, photos, meeting agendas and meeting minutes.

Advertising

To promote events related to the WPP there will likely be a need to advertise. Advertising will ensure appropriate information is being disseminated to constituents and that public participation is encouraged at every opportunity. Advertising and/or public notices will be published in the Eden Echo, the Brady Standard Herald and presented over KNEL (Brady's local radio station).

Times when advertising may be required include:

- Public Notices to properly inform the public of upcoming public meetings,
- *Events* to raise awareness for forums or other events that offer the public an opportunity to obtain accurate information about the WPP and have concerns addressed
- Education Issues to help communicate specific points that may come under particular scrutiny or be a focus of misinformation.
- *Emergency Action* when crisis issues need to be addressed immediately via advertising.

Potential Methods Utilized for Public Outreach and Education

UCRA website

- Electronic mail
- Direct mail, newsletters
- Posters
- Local newspaper advertising and inserts
- Geographic Information System (GIS) mapping
- Verbal communication
- Displays and exhibits
- Public notices
- Community calendars

Glossary

EPA - Environmental Protection Agency

NPS (Pollution) - Nonpoint Source Pollution

Stakeholder - those who make and implement decisions, those who are affected by decisions made or those who have the ability to assist with the implementation of decisions.

TCEQ - Texas Commission on Environmental Quality

WPP - Watershed Protection Plan